

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST IMMIGRANT RIGHTS
PROJECT (“NWIRP”), a nonprofit Washington
public benefit corporation; and YUK MAN
MAGGIE CHENG, an individual,

Plaintiffs,

v.

WILLIAM P. BARR,¹ in his official capacity as
Attorney General of the United States; et al.,

Defendants.

No. 2:17-cv-00716-RAJ

JOINT MOTION TO EXTEND STAY
OF PROCEEDINGS

NOTE ON MOTION CALENDAR:
April 1, 2020

**JOINT MOTION TO EXTEND STAY OF PROCEEDINGS IN ACCORDANCE WITH
AMENDED SETTLEMENT AGREEMENT**

On March 28, 2019, the parties in this matter, by and through their respective counsel of
record, moved this court for a stay of two months pursuant to the parties’ settlement agreement.

The parties sought a stay of proceedings until January 17, 2020 so that the United States
Department of Justice (“DOJ”) can engage in the rulemaking process which may render further
litigation unnecessary. In the event that a rule was not issued within 28 days of January 17,
2020, the parties agreed to meet and confer regarding the status of the rulemaking process and

¹ William P. Barr, the Attorney General of the United States, is automatically
substituted for Acting Attorney General Whitaker pursuant to Federal Rule of Civil Procedure
25(d).

whether to seek an additional stay of proceedings. The parties had agreed to provide the Court with an additional status report indicating whether they have reached an agreement to request a further stay of proceedings consistent with their agreement, or whether it is necessary to resume litigation. ECF No. 108. The parties met and conferred telephonically on December 30, 2019, and January 2, 2020 and agreed to seek an additional stay of 45 days, up to and including March 2, 2020, in order to facilitate the conclusion of the DOJ rulemaking process. The Court extended the stay an additional 45 days, up to and including March 2, 2020. The parties met and conferred on February 20, 2020 and agreed to seek an additional stay of 30 days, up to and including April 1, 2020, while DOJ continues to engage in the rulemaking process. The Court extended the stay an additional 30 days.

On March 31, 2020, the parties agreed that, in light of circumstances resulting from the outbreak of Coronavirus Disease 2019 (“COVID-19”), it is appropriate to amend the settlement agreement in order to extend the “Publication Period” (the period for publication of a Notice of Proposed Rule Making) for an additional 60 days, until June 1, 2020. All remaining provisions of the settlement agreement remain in effect and unchanged.

Consistent with the parties’ agreement to amend the settlement agreement to extend the “Publication Period,” to the parties seek an additional stay of 60 days, up to and including June 1, 2020, while DOJ continues to engage in the rulemaking process. On or before June 1, 2020, the parties will provide the Court with an additional status report indicating whether a Notice of Proposed Rule Making has been issued and whether an additional stay is appropriate consistent with the parties’ settlement.

DATED: April 1, 2020.

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Counsel for Defendants

* Signature authorized by email on April 1, 2020

ORDER

IT IS SO ORDERED. Pursuant to the parties' joint motion, this matter is stayed pending rulemaking for an additional two months, or through June 1, 2020, at which time the parties shall submit a joint status report regarding whether a further stay of proceedings is necessary.

DATED THIS ____ day of _____, 2020.

HON. RICHARD A. JONES
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the date below, I filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

DATED this April 1, 2020

s/ Victor M. Mercado-Santana
VICTOR M. MERCADO-SANTANA